

REMARKS

Claims 1-13 and 15-20 are presented for further examination. Claims 1,3, 4, 12, and 18 have been amended. Claim 14 has been canceled.

In the Office Action mailed June 13, 2006, claims 5-11, and 15-17 remain allowed and claims 13-14 would be allowable if rewritten in independent form. However, claims 1-4, and 12 have been rejected under 35 U.S.C. § 102(b) as anticipated by previously-cited U.S. Patent No. 3,940,882 ("Mabuchi"). Claim 18 has been rejected under 35 U.S.C. § 102(b) as anticipated by a newly applied reference, U.S. Patent No. 1,576,913 ("Jones"). Claims 19 and 20 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Jones in view of Mabuchi. Claim 4 has been rejected under 35 U.S.C. § 112, second paragraph, for a minor informality.

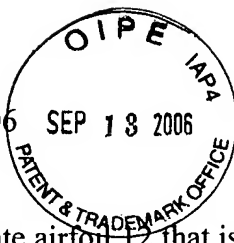
Applicant respectfully disagrees with the basis for the rejections and requests reconsideration and further examination of the claims.

Claim 4 has been amended to provide antecedent basis for "propeller shaft." No new matter has been added.

Claims 1 and 12 have been amended to include the limitations of allowable claim 14. The Examiner rejected claims 1-4 and 12 because of functional language that did not distinguish over the art of record. Applicant respectfully disagrees. Mabuchi does not show a "flying wing toy" as the Examiner asserts. A flying wing is an airfoil that has no tail. The specification makes it clear the claimed flying wing toy is tailless, having no tail surfaces. Moreover, Mabuchi does not disclose the recited structure or function of claims 1 and 12 as amended. Applicant submits that claims 1-4 and 12 are now in condition for allowance.

Claim 18 has been amended to now recite a flying wing toy that comprises an airfoil having a leading edge and a trailing edge, the airfoil having no fuselage associated therewith; and a propulsion system mounted on the airfoil, the propulsion system comprising a pusher propeller extending aft of the trailing edge of the airfoil a sufficient distance to decouple the propeller aerodynamically from turbulence generated at the trailing edge of the airfoil when in flight.

Jones does not teach the mounting of any portion of the propulsion system to his *airfoil 12*. Rather, the propellers 20,21 are coupled to the body A through tail fins extending



from the body A. Jones describes a separate airfoil 12 that is not integrally formed with the body A or the propulsion system (rubber bands 22,23 and propellers 20,21) but instead has to be attached to the body A with a flexible band. Thus, it cannot be said that the propulsion system of Jones is mounted on the "wing" as recited in claim 18. Moreover, as discussed above with respect to Mabuchi, Jones does not describe or suggest a tailless flying wing. Rather, Jones clearly describes tail fins 6,7 extending from the body A. Thus claim 18 is allowable over Jones, and claims 19 and 20 are allowable over the combination of Jones and Mabuchi.

In view of the foregoing, applicant respectfully submits that all of the claims in this application are in condition for allowance. In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact applicant's undersigned representative by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

E. Russell Tarleton
Registration No. 31,800

ERT:jl/jk

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031